

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF John F. Richards		COURT CASE NUMBER 04-10291-RWZ.	
DEFENDANT Mass. Dept. of Corrections et al,		TYPE OF PROCESS 550 Prisoner/Civil Rights	
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Massachusetts Department of Corrections		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 50 Maple Street., Suite-3. Milford, Massachusetts 01757-3698. (See address for Legal Division listed below).		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	1
John F. Richards C-#49993/C-1 #22B/ MCI-Shirley (Medium). P.O.Box-1218/Harvard Road. Shirley, Massachusetts 01464.		Number of parties to be served in this case	4
		Check for service on U.S.A.	✓

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Fold

The Defendant should be served through their Chief Legal Counsel.
Nancy Ankers White Esquire.
Mass. Dept. of Corrections/Legal Division
70 Franklin Street., Suite-#600.
Boston, Massachusetts 02110-1300.

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

NONE

DATE

3/11/04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy of Clerk Nancy Salazar	Date 3/15/04
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

RICHARD MCFARLAND - Counsel ATTY

Address (complete only if different than shown above)

70 FRANKLIN ST
BOSTON☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service

3-18-04

Time

10:25

am

pm

Signature of U.S. Marshal or Deputy

Service Fee 4500	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

3-17-04 - OFFICE USED

SA 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

(BOSTON)

District of MASSACHUSETTS

John F. Richards
Plaintiff,

V.

Mass. Dept. of Corrections
et al, Defendants,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

04 • 10291 RWZ

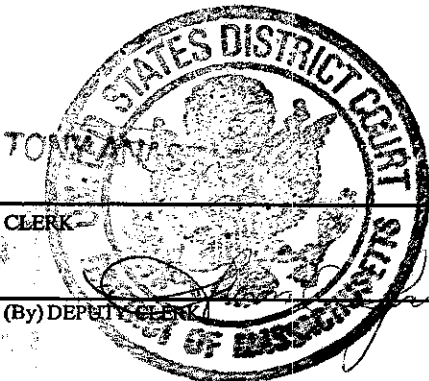
TO: (Name and address of Defendant)

Mass. Dept. of Corrections
c/o Nancy Ankers White Esquire
Chief Legal Counsel
70 Franklin Street., Suite-#600.
Boston, Massachusetts
02110-1300.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

John F. Richards pro-se,
C-#49993/C-1 #22B.
MCI-Shirley (Medium).
P.O. Box-1218/Harvard Road.
Shirley, Massachusetts
01464.

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



3-8-04

DATE

UNITED STATES COURTHOUSE
1 COURTHOUSE WAY - SUITE 2300
BOSTON, MASSACHUSETTS 02210

TONY ANASTAS
CLERK OF COURT

TELEPHONE: 617-748-9152

DATE: 8-19-04

IN RE:

John F. Richards

CIVIL ACTION NO.

04-10291 RWZ

NOTICE TO PLAINTIFF

Upon receipt of the enclosed forms, you are required to complete the necessary forms and furnish the United States Marshal with the following:

- ☒ () one copy of the original complaint for service on each named defendant;
- ☒ () one original summons for each named defendant;
- ☒ () one copy of each original summons for service on each named defendant;
- ☒ () one copy of USM-285 (Process Receipt and Return) for service on each named defendant;
- ☒ () one copy of the application to proceed without prepayment of fees and the order approving the application for service on each named defendant.

Upon completion of each package of the above forms, please forward them to the

Office of the United States Marshal
United States Courthouse
Civil Section - Room 1500
1 Courthouse Way
Boston, Massachusetts 02210

(Notice - Service by USM.xpd - 12/93)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN F. RICHARDS,

Plaintiff,

v.

Civil Action No. 04-10291-RWZ

MASS. DEPT. OF CORRECTION,

Defendant.

ORDER ON APPLICATION TO
PROCEED WITHOUT PREPAYMENT OF FEES

Now before the Court is plaintiff's application to proceed without prepayment of fees and affidavit under 28 U.S.C. § 1915:

The application to proceed without prepayment of fees is:



GRANTED.



DENIED for the following reason(s):

Plaintiff failed to submit a certified copy of his prison account statement, as required by 28 U.S.C. § 1915(a)(2). Accordingly, plaintiff's motion is denied without prejudice to plaintiff's ability to refile the motion along with a certified copy of his prison account statement within 42 (forty-two) days from the date of this Order. Failure to do so, or in the alternative to pay the \$150.00 filing fee, will result in dismissal of this action.



The Clerk shall return the complaint to the undersigned for screening on the merits pursuant to 28 U.S.C. § 1915(e)(2) and summonses shall NOT issue pending the completion of screening on the merits.



The Clerk shall issue summonses and the United States Marshal shall serve a copy of the summons, complaint, and this order upon defendant(s) **Massachusetts Department of Correction, UMass Correctional Medical Services, Kathleen Dennehy, Commissioner, and Carol Mici, Acting Superintendent** as directed by plaintiff with all costs of service to be advanced by the United States. Since plaintiff seeks an order for adequate treatment of his injuries and it appears that only the state defendants can provide such, the court will not now order service on the private medical providers.

SO ORDERED.

3/2/04

DATE

s/ Rya W. Zobel

UNITED STATES DISTRICT JUDGE